

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Andra M. Vaccaro on 6/16/2008.

3. The application has been amended as follows:

Claim 12 has been replaced with the following amended claim 12.

12. (Currently Amended) a radio network, comprising:

a plurality of affiliate radio stations;

a plurality of programming formats, each radio station preselecting which format it will use for its programming;

a generic electronic schedule for all radio stations playing the same format;

the electronic schedule having one or more indicators when there is supposed to be a break;.

a plurality of content files provided by the radio network capable of being downloaded by each of the affiliate radio stations, the content files being either localized for particular radio stations or generic for all radio stations playing the same format or a

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combination of both, the generic content files being capable of being downloaded and stored at any time without regard for scheduling;

a content provider, linked to the plurality of affiliate radio stations via a satellite-based content delivery system, providing the plurality of content files to each of the affiliate radio stations and providing each of the affiliate radio stations with the generic electronic schedule,

each radio station having a first automation system which downloads the content files from the content provider applicable to the chosen format and stores them locally, the first automation system sequentially retrieving, playing and broadcasting least some of the plurality of content files in accordance with the electronic schedule;

wherein when the indicator for a break appears in the electronic schedule, each radio station may specify either that none or a preselected individualized amount and time length of locally generated content files shall be retrieved, played and broadcast; such that the first automation system stops sequentially executing the network originated generic content files and causes the locally originated content files of any time length or number which have been preselected by each station to be played during a particular break until they are completed; and

wherein at the completion of the playback of the locally generated content files during a given break, the first automation system seamlessly resumes retrieving, playing and broadcasting the generic content files without the need for resynchronization or dynamic resizing.

Allowable Subject Matter

4. Claims 1-5,10-17, and 25-29 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Regarding claims 1,4,12, and 25 , the prior art of record, specifically Burr, Jr. (US Patent #6,978,116) teaches a radio network, comprising:

a plurality of affiliate radio stations (*Col 1, lines 30-62: Burr, Jr. teaches in FIG. 1, real-time digital audio program material is broadcast from a network headend facility 10 over a satellite communication link 20 to a number of geographically dispersed users (such as affiliate radio stations) 30*);

White et al. (US Pub. No. 2007/0149116) teaches a plurality of programming formats, each radio station preselecting which format it will use for its programming (Paragraph 0003);

Corts et al. (US Pub. No. 2002/0141491) teaches a generic electronic schedule for all radio stations playing the same format (Paragraphs 0108 and 0162);

Ricard et al. (US Pub. No. 2002/0072341) teaches the electronic schedule having one or more indicators when there is supposed to be a break (Abstract and para. 0006).

However, none of the prior art cited alone or in combination provides the motivation to teach a plurality of content files provided by the radio network capable of being downloaded by each of the affiliate radio stations, the content files being either localized for particular radio stations or generic for all radio stations playing the same

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format or a combination of both, the generic content files being capable of being downloaded and stored at any time without regard for scheduling;

a content provider, linked to the plurality of affiliate radio stations via a satellite-based content delivery system, providing the plurality of content files to each of the affiliate radio stations and providing each of the affiliate radio stations with the generic electronic schedule,

each radio station having a first automation system which downloads the content files from the content provider applicable to the chosen format and stores them locally, the first automation system sequentially retrieving, playing and broadcasting least some of the plurality of content files in accordance with the electronic schedule;

wherein when the indicator for a break appears in the electronic schedule, each radio station may specify either that none or a preselected individualized amount and time length of locally generated content files shall be retrieved, played and broadcast; such that the first automation system stops sequentially executing the network originated generic content files and causes the locally originated content files of any time length or number which have been preselected by each station to be played during a particular break until they are completed; and

wherein at the completion of the playback of the locally generated content files during a given break, the first automation system seamlessly resumes retrieving, playing and broadcasting the generic content files without the need for resynchronization or dynamic resizing.

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Dependent claims 2,3,5,10,11,13-17, and 26-29 are allowed for the same reason.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOMINIC E. REGO whose telephone number is (571)272-8132. The examiner can normally be reached on Monday-Friday, 8:30 am-5 pm . If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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